

**REVISED**

**Variance WITHDRAWN**

*HEARING Cancelled*

*Staff Person assignment changed*



**NOTICE OF TYPE II  
DEVELOPMENT REVIEW  
APPLICATION AND OPTIONAL  
SEPA DETERMINATION OF  
NON-SIGNIFICANCE**

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The Clark County Department of Community Development has received an application for development review, as described below. Based on a review of the submitted application materials, the County expects to issue a **Determination of Non-Significance (DNS)** for the proposal allowed by state law and Clark County Code (CCC), Section 40.570.040(E) – Optional DNS Process. As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review.

Comments received within the deadline will be considered in the review of the proposal. Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal. No additional comment period will be provided unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation. The proposal may include mitigation under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared.

**Closing Date for Public Comments:**

**January 20, 2010**

**Comment period remains the same**

Information regarding this application can be obtained by contacting the staff contact person listed below, or visit the Public Service Center, Development Services Division, 1300 Franklin Street, 3<sup>rd</sup> Floor, Vancouver, Washington.

**Date of this notice: December 20, 2009**

**3<sup>rd</sup> Revision sent 1/12/10 - Comment period remains the same**

**Project Name:               HSIEH PROJECT**

**Case Number:               SHL2009-00007; SEP2009-00101; GEO2009-00024; HAB2009-00086; BLA2009-00046 (VARIANCE WITHDRAWN)**

**Location:                    33911 NE Washougal River Rd, Washougal**

**Request:                    The applicant is requesting Shoreline variance approval to**

remove an existing house and carport and build a new house and garage in close to the same footprint. The proposed house will not meet the setback requirements for the R-10 zone district. The applicant is also requesting a variance for the zoning setback requirement. The project is located on approximately 2.54 acres.

**Applicant/Contact:** Bruce A Neill  
12913 NE 41st Street  
Vancouver WA 98682  
360-260-1028 (Phone); 360-254-1847 (Fax)  
E-mail: [bruceneill@comcast.net](mailto:bruceneill@comcast.net)

**Property Owner:** Wen-Jai & Pai-Her Hsieh  
2546 Webster Street  
Palo Alto, CA 94301  
E-mail: [xiewenjai@gmail.com](mailto:xiewenjai@gmail.com)

**Zoning:** R-10

**Comp Plan Designation:** R-10

**Parcel Number(s):** 141727-000; 141732-000

**Township:** 2N                      **Range:** 4E                      **¼ of Section:** SW ¼ of Sec 28

**Applicable Code Sections**

Clark County Code Sections: 40.380 (Stormwater and Erosion Control), 40.450 (Wetland Protection), 40.440 (Habitat Conservation Ordinance), 40.430 (Geologic Hazards Ordinance), Title 15 (Fire Prevention), 40.210.020 (Rural Districts), 40.420 (Flood Hazard Areas), 40.460 (Shoreline Overlay District), 40.500 40.550.020 (Variances), (Procedures), 40.570 (SEPA), Clark County Shoreline Management Master Program, Clark County Comprehensive Plan and State Laws WAC 220-110, WAC 173-27 and RCW 90.58.

**Neighborhood Contact:**

**Washougal River Neighborhood Association**

Kevin Addis  
512 NE 302nd Avenue  
Washougal, WA 98671

**Staff Contact Person:**

Vicki Kirsher, Planner, (360) 397-2375, ext. 4178 E-mail: [vicki.kirsher@clark.wa.gov](mailto:vicki.kirsher@clark.wa.gov)  
Development Services Manger, Michael Butts (360) 397-2375, ext. 4137

**Please email SEPA comments to:**

[vicki.kirsher@clark.wa.gov](mailto:vicki.kirsher@clark.wa.gov)

**Responsible Official:** Michael V. Butts, Development Services Manager  
Public Service Center, Department of Community Development, 1300 Franklin Street, P.O. Box  
9810, Vancouver, WA 98666-9810

**Application Filing date: November 13, 2009**

**Fully Complete Date: December 3, 2009**

### **SEPA Options:**

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be mitigated through conditions of approval); or,
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

### **Timelines/Process:**

Decisions on Type II applications are made within 78 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information.

### **Appeal Process:**

The responsible official's decision on the application may be appealed to the County Hearings Examiner by the applicant or any person or group that qualifies as a "Part of Record." To qualify as a party of record, you must have submitted written comments or a written request to be identified as a Party of Record within the comment deadline. Note: If an accurate mailing address for those submitting comment is not included, they will not qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision. An appellant must submit an appeal application and appeal fee within 14 calendar days after the written notice of the decision is mailed.

### SEPA Appeals:

A **procedural SEPA appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance).

A **substantive SEPA appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

A **procedural or substantive appeal** must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered at a scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

### **Information Available on the County Web Page:**

- "Weekly Preliminary Plan Review Status Report," (includes current applications, staff reports and final decisions):  
(<http://www.clark.wa.gov/commdev/active-landuseN.html>)
- Pre-Application Conferences and Public Land Use Hearing Agendas:



(<http://www.clark.wa.gov/commdev/agendasN.asp>)

- Applications and Information Handouts for each Type of Land Use Permit:  
(<http://www.clark.wa.gov/commdev/applicationsN.html>) (*Landuse*)

**Phone: (360) 397-2375; Fax: (360) 397-2011**

**Web Page at: <http://www.clark.wa.gov>**

**Attachments:**

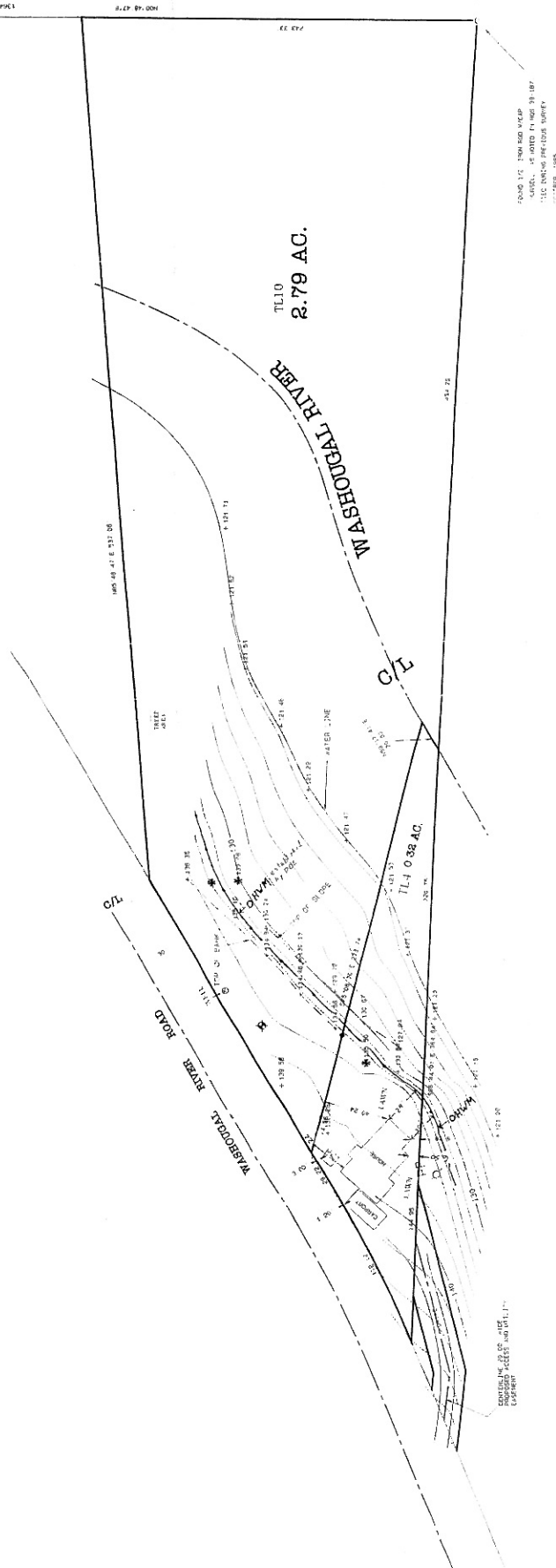
- Proposed project site/land division plan
- Map of property owners receiving notice

# HSIEH PROJECT

EXISTING CONDITIONS  
 33911 NE WASHOUGAL RIVER ROAD  
 SERIAL NO. 141727/000 & 141732/000  
 SW 1/4 SECTION 28 T2N, R4E W1E

## LEGEND

- 200' 50' POINT SHOT WITH ELEVATION
- TELEVISION DISH
- POWER POLE
- RED STAKE FOUND



SCALE: 1" = 30'

EXISTING CONDITIONS

SW 1/4 of Section 28 T2R4E WM

Major Roads  
State  
State On-Ramp  
Interstate  
Interstate On-Ramp  
Primary Arterial  
Arterial  
Roads  
Municipal Jurisdiction  
Unincorporated  
Incorporated

Community Development (Development Serv

Plot Date: Jan 5, 2010

Map produced by:

Information shown on this map was collected from several sources. Neither Clark County or the agency producing this document accept responsibility for any inaccuracies that may be present.



(Scale 1:4041.99)